

Exhibit A

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

ORANGEBOY, INC.,

Plaintiff,

v.

PATRON POINT, INC.,
Ohio Registered Agent Service, LLC
6545 Market Ave. North, #100
North Canton, OH 44721

and

DOES #1–5,

Defendants.

Case No. _____

Judge _____

DECLARATION OF M. CLARK SWANSON II

1. I, M. Clark Swanson II, am over the age of 18, am not under any disability, and am competent to testify to the facts stated below based on my personal knowledge.

2. I am CEO and Founder of OrangeBoy, Inc.

3. Since 1996, OrangeBoy has provided consulting, analytics, and strategic-planning services to social-service and governmental entities. Our business today focuses on public libraries across the United States and Canada, and our software platform, Savannah.

4. Savannah is a web-based software platform that helps OrangeBoy's clients glean insights from their operations data through advanced analytics and business intelligence reports and then act on those insights to improve their services offerings, build deeper relationships with their customers, secure new customers, and increase philanthropic giving.

5. More than 125 public libraries in the United States and Canada currently use Savannah to gain meaningful insights about their operations and user bases, to communicate with their cardholders, and to gather feedback about their operations, programs, and interventions.

6. OrangeBoy takes Savannah's security very seriously. OrangeBoy's clients trust us not only with data about their internal operations, but also with data about their cardholders, including names, email addresses, and other contact information. Our clients expect us to keep this information safe and confidential, to comply with their own legal obligations and to ensure the safety and privacy of their customers.

7. A security breach involving client data would be a disaster, not just for OrangeBoy but for its clients and their cardholders as well. A breach could put our clients' end-users at risk of identity theft and violate their expectations of privacy. This would subject OrangeBoy to hundreds of thousands, if not millions, of dollars of liability, and would cause incalculable harm to OrangeBoy's reputation. For that reason, OrangeBoy goes to great effort to ensure that its systems are secure and that its users' data remains safe and confidential.

8. Though I do not believe that any company offers a software and service solution fully comparable to Savannah, a number of companies compete with us for clients. Patron Point is one of these competitors. Early in 2020, it seemed that Patron Point was increasing its efforts to compete with OrangeBoy. Among other things, it had been sending emails to our clients comparing its product favorably to Savannah, and it had paid for Google AdWord advertisements to show up when people searched Google for "OrangeBoy," "orange boy," and similar terms.

9. In June of this year, I learned that someone had tried to breach OrangeBoy's security and gain access to Savannah by guessing OrangeBoy users' passwords. The attack

failed, but I later learned that our investigation into the attack suggested that someone associated with Patron Point may be behind it.

10. Later, in late July, I learned that another attack had occurred. This attack also failed to breach our security, but I understand that the attack was more sophisticated than June's attack had been. Again, I later learned that our investigation into the attack uncovered several apparent connections to Patron Point and its employees.

11. But OrangeBoy cannot afford to sit passively and let these attackers keep trying to breach our security system. Our dedication to protecting our clients' data has earned their trust, and if a data breach were to break that trust, the damage to our company would be irreparable. For that reason, I believe that we must do everything reasonably in our power to protect our clients and their data before a breach occurs.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date:

8/20/2020



M. Clark Swanson II